

**Notice of Allowability**

Application No.

10/663,027

Applicant(s)

ROSNER, GEDON

Examiner

Art Unit

Alan S. Chen

2182

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to AF amendment received on 10/18/2006.
2. ☒ The allowed claim(s) is/are 1-31.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some\* c) ☐ None of the:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

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|--|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892)   | 5. <input type="checkbox"/> Notice of Informal Patent Application  |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date <u>10/20/2006</u> . |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO/SB/08),<br>Paper No./Mail Date _____    | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment  |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance                           |
|  | 9. <input checked="" type="checkbox"/> Other <u>unoff. suppl. amendment</u> .                                  |

## **DETAILED ACTION**

### ***Response to Arguments***

1. Applicant's amendment and arguments to the claims based on matters discussed in the interview on 10/20/2006, with respect to the 35 U.S.C. §101 rejection have been fully considered and are persuasive. The 35 U.S.C. §101 rejection of claims 21-30 has been withdrawn based on the Examiner's Amendment.

### **EXAMINER'S AMENDMENT**

2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. David Victor (Reg. No. 39,867) on 10/20/2006. Examiner agreed the suggested change to claim 21 would overcome the outstanding 35 U.S.C. §101 rejection and additional dependent claim 31 is permissible.

- Claim 21 is amended according to the attached supplemental amendment.
- Claim 31 is added according to the attached supplemental amendment.
- Change Title to, "METHOD, SYSTEM, AND PROGRAM FOR PROCESSING PACKETS UTILIZING DESCRIPTORS"

### ***Allowable Subject Matter***

3. Claims 1-31 are allowed.

The following is the statement of reasons for the indication of allowable subject matter: The prior art disclosed by the applicant and cited by the Examiner fail to teach or suggest, alone or in combination, all the limitations of the independent claim(s) (claims 1, 11 and 21), particularly a method, system and tangible article of manufacture for processing packets from an I/O device such that information is maintained indicating a different pair of a first buffer and a second buffer assigned to each of a plurality of descriptors, wherein one of the first and second buffers assigned to one descriptor is used by the I/O device and wherein the I/O device write packets to the buffers assigned to the descriptors.

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alan S. Chen whose telephone number is 571-272-4143. The examiner can normally be reached on M-F 9am-5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim N. Huynh can be reached on 571-272-4147. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

ASC  
10/23/2006



**KIM HUYNH**  
**SUPERVISORY PATENT EXAMINER**

10/25/06

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s):	G. ROSNER	Examiner	Alan S. Chen
Serial No.	10/663,027	Group Art Unit	2182
Filed	September 15, 2003	Docket No.	P16576
TITLE	METHOD, SYSTEM, AND PROGRAM FOR PROCESSING PACKETS		

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CERTIFICATE UNDER 37 CFR 1.8:

I hereby certify that this correspondence is being transmitted via email to Examiner Alan S. Chen on  
October 20, 2006

/David Victor/

David W. Victor

SUPPLEMENTAL AMENDMENT

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

The Examiner requested Applicants to amend claim 21 to overcome the Section 101 rejection. The Examiner further said he would enter a dependent claim providing further clarification of claim 1. This amendment is presented as if the amendments made in the response dated October 18, 200 were entered. Below Applicants show the amended claim 21 and the added claim 31 for the Examiner to enter.

Applicants hereby authorize the Examiner to charge the fees needed to enter this amendment and added claim to Deposit Account No. 50-0585.

21. (Currently Amended) An article of manufacture comprising a hardware device having code for processing packets from an Input/Output (I/O) device, wherein the code causes operations to be performed, the operations comprising:

maintaining information indicating a different pair of a first buffer and a second buffer assigned to each of a plurality of descriptors, wherein one of the first and second buffers assigned to one descriptor is used by the I/O device, and wherein the I/O device write packets to the buffers assigned to the descriptors;

accessing the first buffer including a packet from the I/O device, wherein the accessed first buffer is assigned to an accessed descriptor that is one of the plurality of descriptors;

processing the packet in the accessed first buffer; and

if the second buffer assigned to the accessed descriptor is available, then updating information for the accessed descriptor to indicate that the second buffer is assigned to the accessed descriptor before completing the processing of the packet in the first buffer.

31. (New) The article of manufacture of claim 21, wherein the hardware device comprises at least one of hardware logic in which the code is implemented and a computer readable device from which the code is accessed and executed by a processor.

\* \* \*

The attorney of record invites the Examiner to contact him at (310) 553-7977 if the Examiner believes such contact would advance the prosecution of the case.

Dated: October 20, 2006

By: /David Victor/

David W. Victor  
Registration No. 39,867

Please direct all correspondences to:

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